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Attorneys for Defendant
FRONTIER AIRLINES, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ANDREA RIDGELL, on behalf of herself and others similarly situated,	) Case No.: 2:18-CV-04916 PA (AFMx)
)
Plaintiff,	) DECLARATION OF BRITTANY
	) SHAMBURGER IN SUPPORT OF
v.	) FRONTIER AIRLINES INC.'S
	) MOTION FOR SUMMARY
	) JUDGMENT
FRONTIER AIRLINES, INC. a)
Colorado corporation; AIRBUS	) Date: June 17, 2019
S.A.S., a foreign corporation doing	) Time: 1:30 p.m.
business in the State of California;	) Place: Courtroom of the Honorable Percy
AIRBUS GROUP HQ, INC., a	) Anderson
corporation doing business in the State)
of California,)
)
Defendants.)
)

I, Brittany Shamburger, declare and state as follows:

1. Menzies Aviation is a company providing essential airport services on behalf of air carriers. In June, 2017, Menzies provided gate agents for Frontier Airlines at Phoenix Sky Harbor International Airport.

2. I am employed by Menzies in the position of General Manager and

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1 am currently based in Denver, Colorado (“DEN”). In June, 2017, I was employed
2 by Menzies as an Account Manager at Phoenix Sky Harbor International Airport.
3 At that time, my legal name was Brittany Gorman, but I have since married and my
4 legal surname is now Shamburger. As Account Manager at Menzies in Phoenix,
5 my job duties included overseeing day-to-day operations on my customers’ flight
6 operations.

7 3. I have personal knowledge of the facts contained in this declaration. I
8 can competently testify to these facts if called as a witness in these proceedings.

9 4. I understand Frontier flight no. 1630 on June 3, 2017 is at issue in this
10 litigation. To my understanding, the Menzies gate agents on duty when flight no.
11 1630 landed in Phoenix no longer work for Menzies. However, both in my current
12 capacity as General Manager and formerly as Account Manager at Menzies, I am
13 familiar with Menzies' training and policies and procedures regarding the duties of
14 gate agents.

15 5. Menzies gate agents regularly handle the boarding and disembarkation
16 process on behalf of Menzies' air carrier partners. In handling any situation
17 involving a flight delay and/or cancellation, Menzies gate agents are trained to
18 advise passengers to remain near the gate area so that they can hear announcements
19 relating to the status of their flight, as the aircraft could leave earlier than its
20 estimated time. In event of a cancellation, Menzies gate agents are trained to make
21 announcements regarding any alternative transportation, hotel accommodations
22 and/or compensation to be provided to passengers.

23 6. At airport terminal gates, Menzies agents do not confine passengers in
24 the gate area by any means and they have no intention to confine passengers.
25 Rather, Menzies agents make announcements regarding flight status and boarding
26 and check passengers in as they board their flights.

27 7. Menzies gate agents are not armed and have no legal authority to
28

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1 detain any passenger. Menzies also does not use physical barriers, force, threats
 2 of force, menace, fraud, deceit or unreasonable duress in dealing with passengers.
 3 Rather, it is Menzies' policy and procedure to advise passengers that, if they leave
 4 the gate area, they may miss an important announcement regarding the flight.
 5 However, passengers are always free to leave the gate area and many passengers
 6 do leave in order to use the restroom, purchase food and/or visit a designated
 7 smoking area within the airport.

8 8. I was not working in the area at the time, but it is my understanding
 9 that on June 3, 2017, the Phoenix Sky Harbor International Airport was open and
 10 in operation when flight no. 1630 landed. In accordance with their training, the
 11 Menzies gates agents who handled the disembarkation of flight no. 1630 that day
 12 would have made the usual announcements to passengers, to remain near the gate
 13 area in order to hear further announcements regarding the status of their flight.

14 9. If a passenger expresses a desire to leave the gate area and/or airport,
 15 Menzies' gate agents are trained to advise the passengers that they are free to leave
 16 but they may miss their flight and/or alternate transportation. I am not aware of
 17 Menzies having any record or other indication of passenger complaints or requests
 18 to leave the airport relating to flight no. 1630 on June 3, 2017.

19 I declare under penalty of perjury under the laws of the United States of
 20 America that the foregoing is true and correct. Executed on May 20, 2019, at
 21 Denver, Colorado.


 BRITTANY SHAMBURGER

PROOF OF SERVICE

**STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

I am a employed in the County of San Francisco, State of California, I am over the age of eighteen years, and not a party to the within action. My business address is 101 Second Street, 24th Floor, San Francisco, California 94105.

On May 20, 2019, I served the document(s) described as:

DECLARATION OF BRITTANY SHAMBURGER IN SUPPORT OF FRONTIER AIRLINES INC.'S MOTION FOR SUMMARY JUDGMENT

on the parties in this action addressed as follows:


SEE ATTACHED SERVICE LIST

in the following manner:

- ☐ **(BY FAX):** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- ☐ **(BY MAIL):** as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☐ **(BY OVERNIGHT DELIVERY):** I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.
- ☐ **(BY PERSONAL SERVICE):** I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☒ **(BY CM/ECF):** by electronic filing system with the clerk of the Court which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have filed a Notice of Consent to Electronic Service in this action:

I declare I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on May 20, 2019, at San Francisco, California.


Sonja L. Gray

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